

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1940

1 WHEREAS, Hartland Homes, Inc. has submitted an application designated
2 as Special Permit No. 1940 for authority to develop Cardinal Heights Community Unit Plan
3 consisting of 209 lots and 2 outlots for 189 single family dwelling units, 18 townhouse and
4 two single-family attached dwelling units on property located at N.W. 56th Street and south
5 of W. Leighton Avenue, and legally described to wit:

6 Lot 21 Irregular Tract, located in the Southwest Quarter of
7 Section 18, Township 10 North, Range 6 East of the 6th
8 Principal Meridian, Lincoln, Lancaster County, Nebraska

9 WHEREAS, the real property adjacent to the area included within the site
10 plan for this community unit plan will not be adversely affected; and

11 WHEREAS, said site plan together with the terms and conditions hereinafter
12 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
13 Code to promote the public health, safety, and general welfare.

14 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
15 Lincoln, Nebraska:

16 That the application of Hartland Homes, Inc., hereinafter referred to as
17 "Permittee", to develop Cardinal Heights Community Unit Plan consisting of 209 lots and
18 2 outlots for 189 single family dwelling units, 18 townhouse and two single-family attached
19 dwelling units, on the property legally described above, be and the same is hereby granted
20 under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal

1 Code upon condition that construction and operation of said be in strict compliance with
2 said application, the site plan, and the following additional express terms, conditions, and
3 requirements:

4 1. This permit approves 209 dwelling units consisting of 189 single-family
5 dwelling units, 18 townhouse and two single-family attached dwelling units.

6 2. A waiver of Section 27.15.080(a) of the Lincoln Municipal Code is
7 hereby approved for the rear yard setback.

8 3. Before receiving building permits:

9 a. The Permittee must submit an acceptable, revised and
10 reproducible final plan including five copies.

11 b. The construction plans must conform to the approved plans.

12 c. Final Plats within the area of this Special Permit must be
13 approved by the City.

14 4. Before occupying the dwelling units, all development and construction
15 must be completed in conformance with the approved plans.

16 5. All privately-owned improvements shall be permanently maintained by
17 the Owner or an appropriately established homeowners association approved by the City
18 Attorney.

19 6. The site plan approved by this permit shall be the basis for all
20 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
21 elements, and similar matters.

22 7. The terms, conditions, and requirements of this resolution shall be
23 binding and obligatory upon the Permittee, its successors, and assigns. The building

1 official shall report violations to the City Council which may revoke the special permit or
2 take such other action as may be necessary to gain compliance.

3 8. The Permittee shall sign and return the City's letter of acceptance to
4 the City Clerk within 30 days following approval of the special permit, provided, however,
5 said 30-day period may be extended up to six months by administrative amendment. The
6 City Clerk shall file a copy of the resolution approving the special permit and the letter of
7 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
8 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2002:

Mayor